

**AN ORDINANCE TO APPROVE THE PURCHASE OF A CONSERVATION
EASEMENT UNDER THE MARYLAND RURAL LEGACY PROGRAM**

(Re: Bowman Farms, LLC RLP Easement)

RECITALS

1. The Maryland Rural Legacy Program ("RLP") provides the funding necessary to protect large, contiguous tracts of land and other strategic areas from sprawl development and to enhance natural resource, agricultural, forestry and environmental protection through cooperative efforts among State and local governments.

2. Protection is provided through the acquisition of easements and fee estates from willing landowners and the supporting activities of Rural Legacy Sponsors and local, State, and federal governments.

3. For FY 2022, Washington County (the "County") was awarded a RLP grant totaling \$1,691,000.00 (the "RLP Funds").

4. Bowman Farms, LLC is the fee simple owner of real property consisting of 403.22 acres, more or less, (the "Property") in Washington County, Maryland. The Property is more particularly described on Exhibit A attached hereto.

5. The County has agreed to pay the sum of ONE MILLION THREE HUNDRED SIXTY THOUSAND, SEVEN HUNDRED FORTY DOLLARS AND NO CENTS (\$1,360,740.00), which is a portion of the RLP Funds, to the Property Owner in exchange for a Deed of Conservation Easement on the Property (the "Bowman Farms, LLC Easement").

THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Washington County, Maryland, that the acceptance of a conservation easement on the Property be approved and that the President of the Board and the County Clerk be and are hereby authorized and directed to execute and attest, respectively, all such documents for and on behalf of the County relating to the purchase of the Bowman Farms, LLC RLP Easement.

ADOPTED this 11th day of May, 2021.

ATTEST:




Krista L. Hart, Clerk

BOARD OF COUNTY COMMISSIONERS
OF WASHINGTON COUNTY, MARYLAND

BY: 

Jeffrey A. Cline, President

Approved as to legal sufficiency:



B. Andrew Bright
Assistant County Attorney

Mail to:

Office of the County Attorney
100 W. Washington St., Suite 1101
Hagerstown, MD 21740

EXHIBIT A
DESCRIPTION OF EASEMENT PROPERTY

ALL those lots or parcels of land, and all the rights, ways, privileges, and appurtenances thereunto belonging or in anywise appertaining, depicted on a plat entitled "BOUNDARY SURVEY LANDS OF BOWMAN FARMS, LLC", recorded as MISC. PLAT NO. 862 AND 863 in the Land Records of Washington County, Maryland; **saving and excepting** the areas designated as Perpetual Forest Conservation Easement areas on a plat entitled "FOREST CONSERVATION EASEMENT PLAT" recorded as Plat 357 and 358 in the Land Records of Washington County, Maryland, specifically, those areas designated "Forested Area FS-6" containing 3.4 acres, "Forested Area FS-11" containing 6.0 acres, "Forested Area FS-10" containing 3.4 acres, and the "Perpetual Forest Conservation Area" designated as a cross-hatched area as part of FS-12 and FS-13, containing 1.02 acres; all situate in Election District No. 20, Washington County, Maryland; said lands being a portion of the following parcels:

Parcel No. 1, tax account no. 20-011149, being a portion of the property which was conveyed from Downey Farms, Inc., to Bowman Farms, LLC (a Maryland limited liability company), by Deed dated February 20, 2002 and recorded in Liber 1761, folio 62 among the Land Records of Washington County, Maryland (being identified as Parcel No. 3 therein).

Parcel No. 2, tax account no. 20-002123, being a portion of the property which was conveyed from Downey Farms, Inc., to Bowman Farms, LLC (a Maryland limited liability company), by Deed dated February 20, 2002 and recorded in Liber 1761, folio 62 among the Land Records of Washington County, Maryland (being identified as Parcel No. 2 therein).

Parcel No. 3, tax account no. 20-065283, being a portion of the property which was conveyed from James C. Houser, Jr. and Lisa Houser, husband and wife, to Bowman Farms, LLC, a Maryland limited liability company, by Deed dated December 16, 2013 and recorded in Liber 4690, folio 167 among the Land Records of Washington County, Maryland.

An Easement Survey to consolidate and more clearly depict the aforementioned parcels, saving and excepting the Forest Conservation Easement areas, is intended to be prepared recorded among the Land Records of Washington County, Maryland before settlement of this purchase.